IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Original Jurisdiction

Dated: Nainital: the 25th day of July 2003.

Criminal Misc. Bail application no. 513 of 2003.

Order on the Bail Application of the accused/applicant.

CRIMINAL SIDE
Hajari S/o Rodha Singh,
R/o Village Sunehti Alapur,
Police Station-Jhabrera,
District Hardwar.

……..Applicant

Versus

State of Uttaranchal. ……..Opp. Party.

Arising out of case Crime No. 12 of 2003,
Under Section 302 I.P.C.,
Police Station Jhabrera,
District-Hardwar,

By the Court

Hon'ble P.C.Verma, A.C.J.

Heard learned counsel for the applicant as well as learned Government Advocate.

The applicant is facing prosecution for an offence to have been committed under Sec. 302 I.P.C. According to F.I.R., the applicant was having lathi in his hand. There is no lathi injury in the post mortem report. Cause of death is shown to be incised wound, which cannot be caused by lathi injury.

Having regard to the facts and circumstances of the case, the applicant is entitled to bail.

Let the applicant Hajari S/o Rodha Singh be released on bail on his furnishing a personal bond and two sureties to the satisfaction of C.J.M., Hardwar.

25.07.2003: **(P.C. Verma, A.C.J.)**
P.Singh